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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 LARRY W. FIELDS,

9 Petitioner,

10 v.

11 STATE OF WASHINGTON,

12 Respondent.
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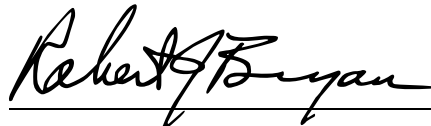
Case No. C07-5544RJB

ORDER ADOPTING REPORT AND
RECOMMENDATION

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15 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
16 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining
17 record, does hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation;
19 (2) This action is **DISMISSED WITHOUT PREJUDICE** under Local Rule CR
20 41(b)(2) for failure to prosecute; and
21 (3) The Clerk is directed to send copies of this Order to Plaintiff.

22 Dated this 5th day of June, 2009.

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25 ROBERT J. BRYAN
26 United States District Judge